

Legislative Services Agency

Fiscal Services Division

Fiscal Note

SF 2066 - Child Restraint (LSB 5740 SV)

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Fiscal Note Version — New

Description

Senate File 2066 relates to the requirements for securing children who are transported in certain motor vehicles. Senate File 2066 also provides that a violation of this Bill would be a simple misdemeanor punishable by a scheduled fine of \$25.

Assumptions

1. Senate File 2066 amends Section 321.446(1), (2), and (4), Code of Iowa, by establishing that a child under the age of one year and weighing less than 20 pounds will be transported in a rear-facing child restraint system, a child under six years of age would be secured in a child restraint system, and a child between the ages of six to eleven years of age would be secured in a child restraint system, seat belt, or safety harness.
2. In FY 2003, there were 2,153 convictions for violations of Section 321.446, Code of Iowa. This is a decrease of 266 convictions compared to FY 2002.
3. The law will fully take effect July 1, 2004. For a 12-month period beginning July 1, 2004, and ending June 30, 2005, peace officers will issue warning citations for violations of subsections 1 and 2, Code of Iowa, as long as the operator is at least in compliance with the current law. If the operator is not in compliance with the current law as well as the proposed law, the peace officer would be able to issue a citation. This provision of the Bill would be repealed July 1, 2005.
4. Currently, the Department of Public Safety has 14 Safety Education Officers who present educational programs including those on seat belt and child restraint use.
5. The average cost for court and clerk time is \$14 per case for a simple misdemeanor.
6. The cost for the State Public Defender to represent one simple misdemeanor case is \$250. A State Public Defender would be required in approximately half the cases.

Correctional Impact

The correctional impact of SF 2066 may result in increased convictions; however, since the penalty is only a fine, no significant correctional impact is anticipated. Some of the violations are currently cited as seat belt law violations. There is no readily available information to predict how many additional convictions would occur.

Fiscal Impact

The fiscal impact of SF 2066 cannot be determined since there is no readily available information to predict how many additional convictions would occur. Since some of these violations are cited under current law and based on the amounts listed above, the fiscal impact of this Bill is anticipated to be minimal.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Public Safety
Judicial Branch

Dennis C Prouty

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
